

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 15-20457

Hon. Matthew F. Leitman

v.

SHAWN PEARSON,

Defendant.

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**ORDER (1) GRANTING MOTION TO SEVER (ECF #59) AND**  
**(2) DENYING IN PART WITHOUT PREJUDICE MOTION TO**  
**PRESERVE ROUGH NOTES (ECF #44)**

On February 4, 2015, Defendant Shawn Pearson (“Pearson”) filed a motion requesting that the Court order the Government to preserve certain “rough notes” taken by Government agents (the “Motion to Preserve”). (*See* ECF #44.) Pearson also asked the Court to review the notes *in camera*. (*See id.*) On March 22, 2016, Pearson filed a second motion requesting that the Court (1) sever the charges against the Co-Defendants from the charges against him or (2) sever Counts I and II of the Superseding Indictment from the remaining counts in the indictment (the “Motion to Sever”). (*See* ECF #59.) The Court held a hearing on both motions on June 16, 2016.

For the reasons stated on the record at the June 16, 2016, hearing, the Motion to Sever is **GRANTED**. Counts I and II of the Superseding Indictment shall be tried separately from Counts III-VIII.

With respect to the Motion to Preserve, the Government has agreed to preserve the “rough notes” Pearson has identified. Therefore, the Motion to Preserve is moot to the extent that it requests preservation. For the reasons stated on the record, the Court **DENIES** Pearson’s request for an *in camera* review of the notes. As further explained on the record, the denial is without prejudice to Pearson’s right to renew his request for an in camera review of the notes at a later date.

**IT IS SO ORDERED.**

/s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: June 23, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 23, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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